

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

XU LUN, a pseudonym,

Plaintiff,

v.

MILWAUKEE ELECTRIC TOOL
CORPORATION, and
TECHTRONIC INDUSTRIES
COMPANY LIMITED,

Defendants.

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Case No. 2:24-cv-00803-BHL

**DEFENDANT MILWAUKEE ELECTRIC TOOL CORPORATION'S
MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Milwaukee Electric Tool Corporation ("Milwaukee Tool") respectfully moves this Court to dismiss the First Amended Complaint (ECF No. 28) filed by Plaintiff, proceeding pseudonymously as Xu Lun, for failure to state a claim. In support of this Motion, Milwaukee Tool incorporates by reference and relies upon the arguments and authorities set forth in its concurrently filed Memorandum of Law in Support of its Motion to Dismiss.

WHEREFORE, Milwaukee Tool respectfully requests that the Court grant this Motion, dismiss the Complaint with prejudice, and grant such other and further relief as this Court deems just and necessary.

Dated: November 13, 2024

/s/ Paul J. Stockhausen

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CERTIFICATE OF SERVICE

The undersigned certifies that on November 13, 2024, the foregoing Milwaukee Tool's Motion to Dismiss Plaintiff's First Amended Complaint and accompanying Memorandum of Law were electronically filed with the Clerk of Court using the CM/ECF system and thereby served on the following counsel of record:

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